

it unless we do it in reconciliation. We know we have major bankruptcies coming at us. Regrettably some of them are in the airline industry, maybe even this week. There are rumors about that. We know when people go into bankruptcy, their pension funds go into the PBGC. We know the PBGC has somewhere between a \$30 billion and \$50 billion projected unfunded liability or deficit. If we are going to be able to maintain those accounts so that people who have been planning all their life to receive pensions, if they are in a company that goes bankrupt, still receive some percentage of their pensions rather than get completely wiped out, we have to have a solvent PBGC. So Chairman ENZI and Chairman GRASSLEY have both reported out bills to try to accomplish that and they are using reconciliation to proceed in that direction, and that is very possible. So we need the reconciliation bill to put in place policies which do not address the immediate problem of today, which is obviously the Katrina issue, or the problem even of next year or the year after.

These policies under reconciliation will address 5 years, 10 years, 15 years down the road and address them in a positive way. They are small steps, but they are important steps, and that is why we need to go forward with reconciliation. That is why we have set this date and moved it a month but only a month.

KATRINA RELIEF EFFORT

On another issue, and that is the issue of Katrina and how we are funding Katrina and the relief effort, we have now passed two supplementals totaling about \$61 billion. We know we are going to get another supplemental probably within 3 or 4 weeks for another \$50 billion. We also know that moving through the Congress is a whole series of initiatives relative to trying to give relief to the people in the Gulf States, which is the goal of all of us. We recognize that things such as tax packages, such as WERDA, such as the COPS program, we have on this bill—in fact, I think there is an amendment for the COPS program of \$1 billion. There is an amendment dealing with Medicaid which will cost \$4 billion to \$6 billion. There are flood insurance issues. The simple fact is that the cost of this disaster, catastrophe, is going to be huge. The problem we have, as I see it right now—and we are willing to pay that price, by the way. I am perfectly willing to pay whatever is the appropriate price to make sure we give these people an opportunity to rebuild and restore their region in a logical manner. I have suggested that we set up a commission with a single leader along the lines of the Hoover activities in the post-1927 flood where there would be a focal point where all the Federal programs would come together and the money would be distributed in an orderly and planned manner working with the States and the local region. Then we can set up such an au-

thority and put a person on the ground who has a national reputation and knows what he or she is doing and can manage this in a way that is orderly and has a reasonable audit function and reasonable management function so we make sure we get value for the dollars so they are not wasted. We have seen some proposals that would not work and would have wasted money already.

What we are not seeing is that sort of cooperation in the Senate or Congress. We have ideas come from all different sides. We have ideas coming from every committee—we have creative people on every committee—and we have ideas coming from the administration, but there does not appear to be any focal point for management of these ideas so we are prioritizing what we need, how we need it, and where it should come from and where it should go.

We have ideas coming out of one committee that are for flood insurance, or amendments on the floor that already represent \$4 billion to \$10 billion of new spending, or we have ideas coming out of the tax committees or ideas coming out of the appropriating committees. Since everybody wants to respond and respond effectively, there ought to be a management process in the Congress—and in the White House, by the way—that says this is what we prioritize as needed. This is what we want the Congress to move on quickly. Let's take a hard look at what will work and what will not work.

I am sorry we have not seen that yet. As chairman of the Budget Committee, I have been extremely concerned about this because I think we are going to wake up 6 months from now or 3 months from now and realize that a haphazard approach has not been effective either in resolving the problems in the gulf coast or in managing the taxpayers' money effectively.

I am hopeful we will see a little more order in this process. I implore our leadership to give us such order.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for 1 hour with the time equally divided between the Senator from Oklahoma, Mr. INHOFE or his designee and the Senator from Nevada, Mr. REID or his designee.

Who yields time? The Senator from Oklahoma.

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, it is my understanding we are going to have 1-hour debate on the motion to proceed and Senator LEAHY and myself are controlling that time. It is acceptable to me, if Senator JEFFORDS would like to be heard at this time, that he be recognized.

The PRESIDING OFFICER. Who yields time to the Senator from Vermont?

Mr. LEAHY. The Senator from Vermont is seeking time? The Senator from Vermont yields such time to the Senator from Vermont as the Senator from Vermont might need.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

DISAPPROVAL OF EPA RULE PROMULGATION

Mr. JEFFORDS. Mr. President, I am pleased to join with my colleague from Vermont, the Senators from Maine, and many other Senators in a bipartisan effort to oppose the administration's mishandling of the Clean Air Act. That is what our resolution of disapproval is about.

We are here because the Bush administration's mercury rule violates the Clean Air Act. This rule is plainly illegal, it is unwise, and it is definitely unhealthy for Americans living downwind of coal-fired powerplants, especially mothers and their soon-to-be-born children.

The administration, with a simple wave of its hands, has used the rules to delay compliance with the mercury control requirements for a decade or longer than the law allows. Our resolution of disapproval is simple enough for even the biggest energy company, and the administration even, to understand. We reject this abuse of the Clean Air Act, and we demand they follow the rules of the land.

The law says: Each and every powerplant unit that emits mercury and other toxic air pollutants must take action to reduce these emissions by using maximum available control technology, or MACT.

The administration could have gone through the appropriate statutory process to delist and exempt their powerplants from regulation, but that is not what they did. Instead, they made up a whole new deregulatory scheme to help out the big energy companies. But the act does not provide them with that authority. They do not have the luxury of ignoring the laws that regular Americans must follow and that Congress wrote to protect the public's health and the environment. This administration is not above the law.

The EPA is allowed to set the MACT standard after considering costs and any nonair quality health and environmental impact and energy requirements. That they could have done. But, instead, the administration chose to violate a settlement agreement. They shut down an advisory commission because they did not like getting scientifically credible answers on mercury controls and costs. The process used to create this rule was flawed and was intended to delay and obstruct any mercury control requirements whatsoever.